IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Indra LAKSONO
Title:	ADAPTIVE BANDWIDTH FOOTPRINT MATCHING FOR MULTIPLE COMPRESSED VIDEO STREAMS IN A FIXED BANDWIDTH NETWORK

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The Board of Patent Appeal and Interferences
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

BRIEF IN SUPPORT OF APPEAL

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This brief contains these items under the following headings, and in the order set forth below (37 C.F.R. § 41.37(c)(1)):

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The final page of this brief before the beginning of the Appendix of Claims bears the agent's signature.

I. REAL PARTY IN INTEREST (37 C.F.R. § 41.37(c)(1)(i))

The real party in interest in this appeal is ViXS Systems, Inc., the assignee, as evidenced by the assignment recorded at Reel 011683, Frame 0653 and Comerica Bank, a secured party as indicated by the agreement recorded at Reel 022240, Frame 0446.

II. RELATED APPEALS AND INTERFERENCES (37 C.F.R. § 41.37(c)(1)(ii))

There are no interferences or other appeals that will directly affect, or be directly affected by, or have a bearing on the Board's decision in this appeal.

III. STATUS OF CLAIMS (37 C.F.R. § 41.37(c)(1)(iii))

A. TOTAL NUMBER OF CLAIMS IN APPLICATION

There are forty-eight (48) claims pending in the application.

B. STATUS OF ALL THE CLAIMS

1. Claims pending:

   Claims 49-96.

2. Claims withdrawn from consideration but not canceled:

   NONE.

3. Claims allowed:

   NONE.

4. Claims objected to:

   NONE.

5. Claims rejected:

Claims 49-96 are rejected under 35 U.S.C. § 103(a).

6.   Claims canceled:

Claims 1-48.

C.   CLAIMS ON APPEAL

There are forty-eight (48) claims on appeal, claims 49-96.

IV.   STATUS OF AMENDMENTS (37 C.F.R. § 41.37(c)(1)(iv))

No amendments have been submitted subsequent to the Final Office Action mailed June

22, 2010 (hereinafter, "the Final Action").

V.   SUMMARY OF THE CLAIMED SUBJECT MATTER (37 C.F.R. § 41.37(c)(1)(v))

The following summary is provided to give the Board the ability to quickly determine

where the claimed subject matter appealed herein is described in the present application and is

not to limit the scope of the claimed invention. Citations are to the specification and figures.

Independent claim 49 recites the features of a method comprising selecting, at a media

server, a first set of one of more multimedia channels (e.g., p. 8, lines 8-15) of a plurality of

multimedia channels of a first data stream responsive to determining a transmission of the first

data stream is not expected to meet a predetermined criteria (e.g., p. 8, line 23 – p. 9, line 2), the

predetermined criteria comprising at least one of a real-time transmission or a transmission

within a predetermined bandwidth (e.g. p. 9, lines 4-5) and the plurality of multimedia channels

including one or more multimedia channels not selected for the first set (e.g., p. 9, lines 28 – p.

10, line 2); compressing, at the media server, each multimedia channel of the first set to generate

a second set of one or more multimedia channels (e.g., FIG. 1); generating, at the media server, a

second data stream comprising the second set of multimedia channels and the one or more multimedia channels not selected for the first set (e.g., FIG. 1); and determining, at the media server, whether a transmission of the second data stream is expected to meet the predetermined criteria (e.g., FIG. 1, p. 8, lines 8-22).

Independent claim 65 recites the features of A computer readable memory tangibly embodying a set of executable instructions to manipulate one or more processors to: select a first set of one of more multimedia channels of a plurality of multimedia channels (e.g., p. 8, lines 8-15) of a first data stream responsive to determining a transmission of the first data stream is not expected to meet a predetermined criteria (e.g., p. 8, line 23 – p. 9, line 2), the predetermined criteria comprising at least one of a real-time transmission or a transmission within a predetermined bandwidth and the plurality of multimedia channels including one or more multimedia channels not selected for the first set (e.g. p. 9, lines 4-5); compress each multimedia channel of the first set to generate a second set of one or more multimedia channels (e.g., FIG. 1); generate a second data stream comprising the second set of multimedia channels and the one or more multimedia channels not selected for the first set (e.g., FIG. 1); and determine whether a transmission of the second data stream is expected to meet the predetermined criteria (e.g., FIG. 1, p. 8, lines 8-22).

Independent claim 81 recites the features of a system comprising: means for selecting a first set of one of more multimedia channels (e.g., p. 8, lines 8-15) of a plurality of multimedia channels of a first data stream responsive to determining a transmission of the first data stream is not expected to meet a predetermined criteria (e.g., p. 8, line 23 – p. 9, line 2), the predetermined criteria comprising at least one of a real-time transmission or a transmission within a predetermined bandwidth and the plurality of multimedia channels including one or more

multimedia channels not selected for the first set e.g. p. 9, lines 4-5); means for compressing each multimedia channel of the first set to generate a second set of one or more multimedia channels (e.g., FIG. 1); means for generating a second data stream comprising the second set of multimedia channels and the one or more multimedia channels not selected for the first set(e.g., FIG. 1); and means for determining whether a transmission of the second data stream is expected to meet the predetermined criteria (e.g., FIG. 1, p. 8, lines 8-22).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL (37 C.F.R. § 41.37(c)(1)(vi))

A. Claims 49-58 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Date (U.S. Patent No. 5,959,677) in view of Guetz (U.S. Patent No. 6,091,777) and further in view of Taunton (U.S. Patent No. 6,591,013) as set forth in the Final Action.

B. Claims 59-96 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Date in view of Guetz in further view of Taunton and in further view of Putzolu (U.S. Patent No. 6,584,509) as set forth in the Final Action.

VII. ARGUMENTS (37 C.F.R. § 41.37(c)(1)(vii))

Under 35 U.S.C. § 103, the Patent Office bears the burden of establishing a prima facie case of obviousness. *In re Fine*, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). As stated in MPEP § 2143.01, to establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). That is, "[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art." In re Wilson, 424 F.2d 1382, 165 USPQ 494, 496 (CCPA 1970). Additionally, as stated in MPEP § 2141.02, a prior art reference must be

considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984). Moreover, if an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

In *KSR International Co. v. Teleflex Inc.*, 550 U.S. 398, 127 S. Ct. 1727, 82 U.S.P.Q.2d 1385 (2007), the Supreme Court stated "Often, it will be necessary for a court to look to interrelated teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art, all in order to determine whether there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue. To facilitate review, this analysis should be made explicit." *Id.*, 127 S. Ct. at 1740-41 (emphasis added). Thus, under *KSR*, obviousness can only be established if it can be established that 1) all of the elements of a claim were known, and that 2) there was a reason to combine those elements.

In determining the differences between the prior art and the claims, the question under 35 U.S.C. § 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious. *MPEP* § 2141.02 (citing *Stratoflex, Inc. v. Aeroquip Corp.*, 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983)(emphasis in original). Moreover, a prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. *Id.* (citing *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984))(emphasis in original).

A.   Rejection of Claims 49-58 under 35 U.S.C. § 103

Claims 49-58 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Date in view of Guetz and further in view of Taunton.

1.   Rejection of Claim 49

For convenience, independent claim 49 is set forth below

A method comprising:

>   selecting, at a media server, a first set of one of more multimedia channels of a plurality
>   of multimedia channels of a first data stream responsive to determining a
>   transmission of the first data stream is not expected to meet a predetermined
>   criteria, the predetermined criteria comprising at least one of a real-time
>   transmission or a transmission within a predetermined bandwidth and the plurality
>   of multimedia channels including one or more multimedia channels not selected
>   for the first set;
>   compressing, at the media server, each multimedia channel of the first set to generate a
>   second set of one or more multimedia channels;
>   generating, at the media server, a second data stream comprising the second set of
>   multimedia channels and the one ore more multimedia channels not selected for
>   the first set; and
>   determining, at the media server, whether a transmission of the second data stream is
>   expected to meet the predetermined criteria.

>   a)   The cited references fail to disclose or render obvious "the plurality of
>   multimedia channels including one or more multimedia channels not
>   selected for the first set"

Claim 49 recites "selecting, at a media server, a first set of one of more multimedia channels of a plurality of multimedia channels of a first data stream responsive to determining a

transmission of the first data stream is not expected to meet a predetermined criteria, the

predetermined criteria comprising at least one of a real-time transmission or a transmission

within a predetermined bandwidth *and the plurality of multimedia channels including one or*

more multimedia channels not selected for the first set." The Office acknowledges that Date

does not discloses the recited "channels not selected" features, and asserts that these features are

disclosed by Taunton, at column 1, lines 46-63. However, Date is directed to

encoding/compressing a plurality of video/audio signals being transmitted. Taunton, on the other

hand, is directed to decoding/decompressing multiple "image channels." In particular, col. 1,

lines 46-63 of Taunton outlines a process whereby a selected image channel is *decoded* and

another non-selected image channel also is *decoded* in parallel. Taunton further teaches that the

purpose of the disclosed parallel decoding of the non-selected image channel is to allow the

decoding system to quickly switch to the non-selected image channel in the event that the non-

selected image channel later becomes a selected image channel. *See, e.g., Taunton*, col. 2, lines

8-16. Thus, Date and Taunton are directed at opposite ends of a video system. Accordingly, the

actual result of the combination of Date and Taunton would be a video processing system

whereby each and every image channel is encoded at the transmitting side of the system (as

taught by Date) and whereby the receiving side of the system decodes in parallel a selected one

of the image channels and a non-selected one of the image channels so as to facilitate a rapid

switch to the non-selected image channel (as taught by Taunton). In other words, the actual

result of the proposed combination would not result in a system that selects selecting, at a media

server, a first set of one of more multimedia channels of a plurality of multimedia channels of a

first data stream responsive to determining a transmission of the first data stream is not expected

to meet a predetermined criteria, *the plurality of multimedia channels including one or more*

multimedia channels not selected for the first set. The proposed combination therefore would not disclose or render obvious the above-cited feature of claim 49.

The Office responds at page 2 of the Final Action that Date discloses an encoding and decoding system, while Taunton discloses a system for decoding encoded image data at column 1, lines 8-10. The Office further responds that decoding is a complimentary operation to encoding, and that Taunton teaches that prior art encoding suffers from a decrease in the degree of compression. Accordingly, as Applicant understands the Office's position, it is that one skilled in the art would modify the features of Taunton such that the teaching of Taunton of a non-selected channel would apply to an encoder. Applicant respectfully submits that *KSR* requires, in order to establish a prima facie showing of obviousness, that the Office show that all the features of the claim were known. In this case, as set forth above, the Office has failed to establish that the above-cited features of claim 49 were known. Instead, the Office has alleged that, if the teachings of the Taunton reference were *changed* in order to apply to a decoder, the features of the claim would be known. Applicant respectfully submits that this reasoning is improper under KSR, and therefore the Office has failed to establish a prima facie showing of obviousness with respect to claim 49.

        b)   One skilled in the art would not combine the cited references as proposed

As set forth above, to establish a prima facie showing of obviousness, KSR requires a showing that one skilled in the art would have a reason to combine the references as proposed. In this case, the Office has not established such a reason, and the cited references in fact teach away from such a combination.

To illustrate, Date discloses that <u>*each and every*</u> "video/audio signal" is "compressed" when a predetermined criteria is not met and thus there are no "video/audio signals" not selected

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for compression when the predetermined criteria is not met in the system of Date. *Date*, col. 5, lines 36-47. However, under the Office's proposed combination of Date and Taunton one or more video/audio signals would remain uncompressed. This is contrary to the explicit teachings of Date.

Further, the references teach away from their combination. In particular, as explained above, the Date reference is directed to a system for allocating transmission channels so that a maximum transmission rate is not exceeded. *Id*., col. 2, lines 53-65. The Date system measures the amount of information to be transmitted among all the channels, and if the maximum transmission rate will be exceeded, the quantity of information provided by each channel is reduced. *Id*. Accordingly, Date is directed to <u>reducing</u> the amount of information transferred so that the maximum transmission rate is not exceeded. Taunton, in contrast, is directed to a system that provides two decoded data streams: one for a currently selected image channel and one for a non-selected image channel. *Taunton*, col. 2, lines 8-16. Taunton thus <u>increases</u> the amount of information to be transferred (with the addition of the non-selected image channel). In other words, the explicit aim of Date is to reduce the amount of information to be transferred, whereas the combination with Taunton would increase the amount of information to be transferred. One skilled in the are therefore would not combine the references.

In addressing the motivation for the combination of Date and Taunton, the Office points to Guetz as teaching that "there is a need in the art for an improved cost effective coding system." As best understood from this statement, it appears that the Office is contending that the modification of Date in view of Taunton would be motivated by the desire for "an improved cost effective coding system." However, the Office has not provided any evidence or rationale supporting an assertion that the proposed combination of Date and Taunton would result in an

"improved cost effective coding system." As noted above, the technique of Taunton is intended for improved switching between *decoded* channels and it is not clear how a decoding technique improves the encoding systems disclosed by Date and Guetz in any manner. Thus, one of ordinary skill in the art, considering Date and Taunton in their entireties, including the purposes of the disclosed techniques and the motivation allegedly provided by Guetz, would not have had a reason to combine Date and Taunton in the manner proposed by the Office.

b)   Claim 49 is allowable under 35 U.S.C. § 103

As set forth above, the cited references fail to disclose or render obvious at least one feature of claim 49, and one skilled in the art would not combine the cited references as proposed by the Office. Accordingly, claim 49 is allowable under 35 U.S.C. § 103.

2.   Rejection of Claims 50-58

Claims 50-58 depend from claim 49. Accordingly, the cited references fail to disclose at least one feature of each of these dependent claims. Further, as explained above, one skilled in the art would not combine the cited references as proposed by the Office. Accordingly, claims 50-58 are allowable under 35 U.S.C. § 103.

B.   Rejection of Claims 59-96

Claims 59-96 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Date in view of Guetz in further view of Taunton and in further view of Putzolu.

1.   Rejection of Claims 65 and 81

Independent claims 65 and 81 recite features similar to those discussed above with respect to claim 49. Accordingly Date, Guetz, and Taunton, individually and in combination, fail to disclose or render obvious at least these features of claims 65 and 81. Further, Putzolu does not remedy the deficiencies of the other cited references. In addition, as explained above with respect to claim 49, one skilled in the art would not combine the cited references as proposed by the Office. Thus, independent claims 65 and 81 are allowable under 35 U.S.C. § 103.

2.   Rejection of Claims 60-64, 66-80, and 82-96

Claims 60-64 depend from claim 49. Claims 66-80 depend from claim 65. Claims 82-96 depend from claim 81. Accordingly, the cited references fail to disclose or render obvious at least one feature of these dependent claims, at least by virtue of their respective dependency on claims 49, 65, and 81. Further, as explained above, one skilled in the art would not combine the cited references as proposed by the Office. Accordingly, claims 60-64, 66-80, and 82-96 are allowable under 35 U.S.C. § 103.

VIII.   CONCLUSION

For at least the reasons given above, all pending claims are allowable and the Appellant therefore respectfully request reconsideration and allowance of all claims and that this patent application be passed to issue.

Respectfully submitted,

___November 22, 2010___   ___/Adam D. Sheehan/___
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IX.   APPENDIX OF CLAIMS INVOLVED IN THE APPEAL (37 C.F.R. § 41.37(c)(1)(viii))

The text of each claim involved in the appeal is as follows:

1. – 48. (Canceled)

49. (Previously Presented) A method comprising:

> selecting, at a media server, a first set of one of more multimedia channels of a plurality of multimedia channels of a first data stream responsive to determining a transmission of the first data stream is not expected to meet a predetermined criteria, the predetermined criteria comprising at least one of a real-time transmission or a transmission within a predetermined bandwidth and the plurality of multimedia channels including one or more multimedia channels not selected for the first set;

> compressing, at the media server, each multimedia channel of the first set to generate a second set of one or more multimedia channels;

> generating, at the media server, a second data stream comprising the second set of multimedia channels and the one ore more multimedia channels not selected for the first set; and

> determining, at the media server, whether a transmission of the second data stream is expected to meet the predetermined criteria.

50. (Previously Presented) The method of claim 49, further comprising:

> transmitting the second data stream from the media server to at least one client receiver when the transmission of the second data stream is expected to meet the predetermined criteria.

51. (Previously Presented) The method of claim 49, further comprising:

> compressing at least one multimedia channel of the second data stream at the media server to generate a third data stream when the transmission of the second data stream is not expected to meet the predetermined criteria; and

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determining, at the media server, whether a transmission of the third data stream is expected to meet the predetermined criteria.

52. (Previously Presented) The method of claim 51, further comprising:
    transmitting the third data stream from the media server to at least one client receiver when the transmission of the third data stream is expected to meet the predetermined criteria.

53. (Previously Presented) The method of claim 49, wherein the predetermined criteria includes a real-time transmission of each of the multimedia channels.

54. (Previously Presented) The method of claim 49, wherein the predetermined criteria includes a transmission of the data stream within a predetermined bandwidth.

55. (Previously Presented) The method of claim 49, wherein the predetermined bandwidth comprises a maximum bandwidth of a transmission medium.

56. (Previously Presented) The method of claim 49, wherein the predetermined bandwidth comprises a portion of an available bandwidth of a transmission medium.

57. (Previously Presented) The method of claim 50, wherein transmitting the second data stream comprises wirelessly transmitting the second data stream from the media server to at least one client receiver.

58. (Previously Presented) The method of claim 49, wherein the first data stream includes data from a plurality of sources.

59. (Previously Presented) The method of claim 49, wherein selecting the first set comprises selecting the first set using a predefined selection method.

60. (Previously Presented) The method of claim 59, wherein the predefined selection method includes a round robin method.

61. (Previously Presented) The method of claim 59, wherein the predefined selection method includes selecting a multimedia channel having a greatest amount of data.

62. (Previously Presented) The method of claim 59, wherein the predefined selection method comprises a prioritization of the plurality of multimedia channels.

63. (Previously Presented) The method of claim 59, wherein the predefined selection method includes selecting an uncompressed multimedia channel over a compressed multimedia channel.

64. (Previously Presented) The method of claim 49, wherein compressing a multimedia channel comprises:

compressing in a first manner in response to determining a multimedia channel being compressed has not been compressed in the first manner; and

compressing in a second manner in response to determining the multimedia channel being compressed has been compressed in the first manner.

65. (Previously Presented) A computer readable memory tangibly embodying a set of executable instructions to manipulate one or more processors to:

select a first set of one of more multimedia channels of a plurality of multimedia channels of a first data stream responsive to determining a transmission of the first data stream is not expected to meet a predetermined criteria, the predetermined criteria comprising at least one of a real-time transmission or a transmission within a predetermined bandwidth and the plurality of multimedia channels including one or more multimedia channels not selected for the first set;

compress each multimedia channel of the first set to generate a second set of one or more multimedia channels;

generate a second data stream comprising the second set of multimedia channels and the one or more multimedia channels not selected for the first set; and

determine whether a transmission of the second data stream is expected to meet the predetermined criteria.

66. (Previously Presented) The computer readable memory of claim 65, the set of executable instructions further to manipulate one or more processors to:

provide the second data stream for transmission when the transmission of the second data stream is expected to meet the predetermined criteria.

67. (Previously Presented) The computer readable memory of claim 66, wherein the executable instructions to manipulate one or more processors to provide the second data stream comprises executable instructions to provide the second data stream for wireless transmission.

68. (Previously Presented) The computer readable memory of claim 65, the set of executable instructions further to manipulate one or more processors to:

compress at least one multimedia channel of the second stream to generate a third data stream when the transmission of the second data stream is not expected to meet the predetermined criteria; and

determine whether a transmission of the third data stream is expected to meet the predetermined criteria.

69. (Previously Presented) The computer readable memory of claim 68, the set of executable instructions further to manipulate one or more processors to:

provide the third data stream for transmission when the transmission of the second compressed data stream is expected to meet the predetermined criteria.

70. (Previously Presented) The computer readable memory of claim 65, wherein the predetermined criteria includes a real-time transmission of each of the multimedia channels.

71. (Previously Presented) The computer readable memory of claim 65, wherein the predetermined criteria includes a transmission of the data stream within a predetermined bandwidth.

72. (Previously Presented) The computer readable memory of claim 65, wherein the predetermined bandwidth comprises a maximum bandwidth of a transmission medium.

73. (Previously Presented) The computer readable memory of claim 65, wherein the predetermined bandwidth comprises a portion of an available bandwidth of a transmission medium.

74. (Previously Presented) The computer readable memory of claim 65, wherein the first data stream includes data from a plurality of sources.

75. (Previously Presented) The computer readable memory of claim 65, wherein the set of executable instructions configured to manipulate one or more processors to select the first set comprises executable instructions configured to manipulate one or more processors to select the first set using a predefined selection method.

76. (Previously Presented) The computer readable memory of claim 75, wherein the predefined selection method includes a round robin method.

77. (Previously Presented) The computer readable memory of claim 75, wherein the predefined selection method includes selecting a multimedia channel having a greatest amount of data.

78. (Previously Presented) The computer readable memory of claim 75, wherein the predefined selection method comprises a prioritization of the plurality of multimedia channels.

79. (Previously Presented) The computer readable memory of claim 75, wherein the predefined selection method includes selecting an uncompressed multimedia channel over a compressed multimedia channel.

80. (Previously Presented) The computer readable memory of claim 65, the executable instructions to manipulate one or more processors to compress a multimedia channel comprises executable instructions to manipulate one or more processors to:

> compress in a first manner in response to determining a multimedia channel being
>> compressed has not been compressed in the first manner; and
> compress in a second manner in response to determining the multimedia channel being
>> compressed has been compressed in the first manner.

81. (Previously Presented) A system comprising:

> means for selecting a first set of one of more multimedia channels of a plurality of
>> multimedia channels of a first data stream responsive to determining a
>> transmission of the first data stream is not expected to meet a predetermined

criteria, the predetermined criteria comprising at least one of a real-time transmission or a transmission within a predetermined bandwidth and the plurality of multimedia channels including one or more multimedia channels not selected for the first set;

means for compressing each multimedia channel of the first set to generate a second set of one or more multimedia channels;

means for generating a second data stream comprising the second set of multimedia channels and the one or more multimedia channels not selected for the first set; and

means for determining whether a transmission of the second data stream is expected to meet the predetermined criteria.

82. (Previously Presented) The system of claim 81, further comprising:

means for transmitting the second data stream when the transmission of the second data stream is expected to meet the predetermined criteria.

83. (Previously Presented) The system of claim 82, wherein the means for transmitting the second data stream comprises wirelessly transmitting the second data stream.

84. (Previously Presented) The system of claim 81, further comprising:

means for compressing at least one multimedia channel of the second data stream to generate a third data stream when the transmission of the second data stream is not expected to meet the predetermined criteria; and

means for determining whether a transmission of the third data stream is expected to meet the predetermined criteria.

85. (Previously Presented) The system of claim 84, further comprising:

means for transmitting the third data stream when the transmission of the second compressed data stream is expected to meet the predetermined criteria.

86. (Previously Presented) The system of claim 81, wherein the predetermined criteria includes a real-time transmission of each of the multimedia channels.

87. (Previously Presented) The system of claim 81, wherein the predetermined criteria includes a transmission of the data stream within a predetermined bandwidth.

88. (Previously Presented) The system of claim 81, wherein the predetermined bandwidth comprises a maximum bandwidth of a transmission medium.

89. (Previously Presented) The system of claim 81, wherein the predetermined bandwidth comprises a portion of an available bandwidth of a transmission medium.

90. (Previously Presented) The system of claim 81, wherein the first data stream includes data from a plurality of sources.

91 (Previously Presented) The system of claim 81,
    wherein the means for selecting the set comprises means for selecting the set using a
        predefined selection method.

92. (Previously Presented) The system of claim 91, wherein the predefined selection method includes a round robin method.

93. (Previously Presented) The system of claim 91, wherein the predefined selection method includes selecting a multimedia channel having a greatest amount of data.

94. (Previously Presented) The system of claim 91, wherein the predefined selection method comprises a prioritization of the plurality of multimedia channels.

95. (Previously Presented) The system of claim 91, wherein the predefined selection method includes selecting an uncompressed multimedia channel over a compressed multimedia channel.

96. (Previously Presented) The system of claim 81, wherein the means for compressing a multimedia channel comprises:
    means for compressing in a first manner in response to determining a multimedia channel
        being compressed has not been compressed in the first manner; and

means for compressing in a second manner in response to determining the multimedia

channel being compressed has been compressed in the first manner.

X.   EVIDENCE APPENDIX (37 C.F.R. § 41.37(c)(1)(ix))

None.

XI.   RELATED PROCEEDINGS APPENDIX (37 C.F.R. § 41.37(c)(1)(x))

None.